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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

THOMAS F. WHITE,

Plaintiff,

v.

NANCI L. CLARENCE, ESQ., KATHLEEN
DYER, ESQ., and CLARENCE & DYER,
L.L.P., and DOES 1-50, inclusive,

Defendants.

Case No.: 3:13-cv-02106 (CRB)

**STIPULATION AND ORDER
EXTENDING TIME**

A pending motion to remand this case to state court makes it uncertain whether this action will remain in federal court. The hearing on the motion to remand has been continued several times. Accordingly, the parties have reached an agreement, subject to the approval of the Court, to (1) extend the time for all parties to serve their initial disclosures and submit a Joint Case Management Conference Statement; and (2) continue the Case Management Conference presently scheduled for August 9, 2013. In support of this stipulation, the parties recite and agree as follows:

On May 8, 2013, defendants removed this action to federal court. On May 22, 2013, the Court issued a scheduling order setting the initial Case Management Conference for August 9, 2013 and ordering that a Joint Case Management Conference Statement be filed by August 2, 2013.

Based on this Case Management Conference date, the parties initial disclosures are also due on August 2.

On May 23, 2013, plaintiff filed a motion to remand. The hearing on that motion was originally scheduled for June 28, 2013. However, after the matter was fully briefed, the Court on its own motion continued the hearing to July 19, 2013, and then again to July 23, 2013. Because plaintiff's counsel was not available for a July 23 hearing, the parties requested that the hearing be rescheduled for August 2, 2013. The Court granted that request on July 17, 2013.

Under the original schedule, there were five weeks between the hearing date for plaintiff's motion to remand and the date upon which the parties' initial disclosures and Joint Case Management Conference Statement were due. Under the current schedule, the parties' initial disclosures and Joint Case Management Statement are due on August 2, 2013 – the same day as the hearing on plaintiff's motion to remand. The parties would prefer not to expend the time and resources necessary to prepare and serve initial disclosures and to draft and file a Joint Case Management Statement until after the Court determines whether this case will remain in federal court. Therefore,

IT IS HEREBY STIPULATED AND AGREED THAT, subject to Court approval:

- (1) The date for the parties to serve their initial disclosures shall be extended from August 2, 2013 to September 6, 2013;
- (2) The date for the parties to file their Joint Case Management Conference Statement shall be extended from August 2, 2013 to September 6, 2013; and
- (4) The Case Management Conference presently scheduled for August 9, 2013 shall be continued to September 13, 2013 at 8:30 a.m.

STIPULATED AND AGREED:

Dated: July 22, 2013

KELLER, SLOAN, ROMAN & HOLLAND LLP

By: _____

TRACY M. CLEMENTS
Attorneys for Defendants Nanci L. Clarence,
Kathleen Dyer, and Clarence & Dyer
LLP

Dated: July 22, 2013

THE DECKARD LAW FIRM

By: _____

DIANE DECKARD
Attorneys for Plaintiff THOMAS F. WHITE

ORDER

The parties having stipulated and good cause appearing, the Court adopts the parties' stipulated agreement and sets/resets deadlines as follows:

- (1) The parties shall serve their initial disclosures on or before September 6, 2013;
- (2) The parties shall file a Joint Case Management Conference Statement on or before September 6, 2013; and
- (4) The Case Management Conference presently scheduled for August 9, 2013 shall be continued to September 13, 2013 at 8:30 a.m.

IT IS SO ORDERED.

Dated: July 19, 2013

CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE

